

REMARKS

Claims 27-43 are pending in the current application. Claims 27 and 38 are independent claims.

35 U.S.C. § 103 (A) NAOHIRO

Claims 27-43 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Naohiro. Applicant respectfully traverses this art grounds of rejection.

Naohiro discloses a signal switching method. Naohiro discloses subdividing a signal into a plurality of divided signals. The plurality of divided signals are received at a reception terminal.

Figure 1 of Naohiro illustrates an asynchronous transfer machine (ATM) system where a signal 5-1 is distributed on a first path VP1 and a second path VP2 (column 6, lines 44-47). The signal 5-1 is sent along the first and second paths to a node 3. If a signal failure occurs on either of the paths, an alarm indicator is inserted into the signal (column 6, lines 49-51). At node 3, a detection portion 5-5 detects whether an alarm indicator is present in either of the received signals on the first and second paths VP1 and VP2. If the detecting portion 5-5 detects the inserted alarm indicator, a VP switch selects the signal without the alarm indicator in order to select the better signal (column 6, lines 55-58). Further, Naohiro states that Figure 1 illustrates the “principle of the present invention” (column 6, lines 43-44). Figures 2-9 merely illustrate embodiments of the above-described principle.

As discussed above, an alarm indicator is inserted into a signal on the first path when the signal fails. A signal on another path (which has not failed) may not include the alarm indicator. Initially, Applicant respectfully submits that Naohiro discloses an alarm insertion into an unused portion of bandwidth on a given path, and not a signal replacement. The

alarm is only inserted on the path with the signal failure and is inserted irrespective of second path signals. If signals on both the first and second path fail, the alarm indicator is inserted on both the first and second paths. Thus, Naohiro cannot disclose or suggest “replacing less than all of the first plurality of components in the first cell with less than all the second plurality of components in the second cell” as recited in independent claims 27 and 38 (Emphasis added).

The Examiner directs the Applicant to column 7, line 43-column 8, line 7 in alleging that Naohiro discloses replacing less than all of the first plurality of components in the first signal with less than all the second plurality of components in the second signal (page 2 of the Office Action). Applicant can only assume that the Examiner is referring to the OAM multiplexer insertion (column 7, line 66-column 8, line 2). However, Naohiro discloses “inserting the OAM signal into the selected signal” (column 8, lines 1-2). The OAM signal is generated at an OAM signal generating portion 1-10 and inserted into the selected signal. Thus, this embodiment does not disclose a replacement, but is rather merely another example of a signal insertion. The Examiner cited embodiment is similarly deficient in reciting the “replacing” step of claims 27 and 38 as discussed above.

Further, Applicant agrees with the Examiner in that “Naohiro does not expressly disclose in the primary embodiment that the first multiplexers are a single multiplexer” and “Naohiro does not expressly disclose that the user interface is an asynchronous feeder multiplexer where the asynchronous feeder multiplexer replaces less than all of the first plurality of components in the first signal with less than all the second plurality of components in the second signal.” (Page 3 of the Office Action). However, the Examiner states that “Naohiro does disclose the use of multiplexing when combining or replacing signals to form a single composite signal.” (Page 3 of the Office Action). However, in view

of the above remarks, Applicant has shown how Naohiro does not disclose or suggest a signal replacement.

Further, the Examiner has stated that “it would have been obvious to one of ordinary skill in the art at the time of the invention to have the user interface comprise an asynchronous feeder multiplexer where the asynchronous feeder multiplexer replaces less than all of the first plurality of components in the first signal with less than all of the second plurality of components in the second signal in order to obtain a single signal that comprises the signal components of the two signals that have the best normality.” (Page 3 of the Office Action). However, the Examiner appears to misunderstand the disclosure of Naohiro. As discussed above, Naohiro is directed to selecting a better of two signals in an ATM ring network. Naohiro is not directed to signal replacement, but rather to alarm insertion. Further, the Examiner has not established why one skilled in the art would include an asynchronous feeder multiplexer which replaces components. Rather, this appears to be a conclusory statement without a justifying reference.

For at least the above given reasons, Applicant respectfully submits that independent claims 27 and 38 are allowable.

As such, claims 28-37 and 39-43, dependent upon independent claims 27 and 38, respectively, are likewise allowable over Naohiro at least for the reasons given above with respect to independent claims 27 and 38.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

Reconsideration and allowance of all pending claims is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 27-43 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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